

By Andy Worthington

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Since May 2009, when President Obama first bowed to Republican pressure on national security issues, and [abandoned a plan](#) by White House Counsel Greg Craig to rehouse on the US mainland a couple of cleared prisoners at Guantánamo who were at risk of torture if repatriated, it has been apparent that no principles are sufficiently important to the administration that officials won't jettison them the moment that critics start howling.

After this first success with the cleared prisoners — blocking entry to the US for the Uighurs, Muslims from China's Xinjiang province, who had been [cleared for release](#) by a US court — Republicans, and, to a lesser extent, dissenters within Obama's own party, realized that the power to shape national security issues was in their hands, particularly when the magic word "Guantánamo" was invoked.

As a result, when a young Nigerian, apparently recruited in Yemen, tried to blow up a Detroit-bound plane on Christmas Day 2009, and the critics howled that no Yemenis in Guantánamo should be released, the President didn't point out that this was unacceptable, and was, moreover, a call for him to endorse a policy of "guilt by nationality." Instead, he immediately capitulated, [imposing a moratorium](#) on the release of Yemenis from Guantánamo that still stands 15 months later, and that, single-handedly, undermined the President's own promise to close the prison.

A similar success for Obama's critics took place after Attorney General Eric Holder announced on November 13, 2009 that Khalid Sheikh Mohammed and four other men accused of involvement in the 9/11 attacks would [face a federal court trial in New York](#), on the same day that he announced that five other men would face trials by Military Commission at Guantánamo.

Although this announcement went down well initially, with most of the complaints coming from critics of the Commissions — myself included — who were dismayed that Obama and Holder had brought the much-criticized military trial system back from the dead, a cynical backlash soon started against the proposed federal court trial for the alleged 9/11 co-conspirators. This was orchestrated by Keep America Safe, an organization founded by 9/11 widow Debra Burlingame, rightwing pundit William Krystol, and Liz Cheney, the daughter of former Vice President Dick Cheney, which might, more appropriately, have been called "Keep America Afraid." However, it succeeded in its mission, because, predictably by now, when the critics' complaints were loud enough, Obama again backed down, effectively shelving the plans, and leaving Holder looking foolish.

Nevertheless, the Attorney General at least maintained some principles. Aware of the significance of the trial of Khalid Sheikh Mohammed and his alleged co-conspirators, Holder [told Jane Mayer of the New Yorker](#)

last February that he was "determined not to capitulate on the idea of holding a 9/11 trial." Mayer's report continued:

"I don't apologize for what I've done," he told me at one point. "History will show that the decisions we've made are the right ones." Holder said that he regarded trying Khalid Sheikh Mohammed in a courtroom as "the defining event of my time as Attorney General." But, he added, "between now and then I suspect we're in for some interesting times."



Eric Holder, Barack Obama, and the US mainland... recent population...